

**BOONE COUNTY PLANNING & ZONING COMMISSION**  
BOONE COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS  
801 E. WALNUT, COLUMBIA, MISSOURI  
(573) 886-4330

**Minutes**

**7:00 P.M.**

**Thursday, September 21, 2023**

I. Chairperson Harris called the meeting to order at 7:00 p.m. with a quorum.

II. Roll Call:

a. Members Present:

Boyd Harris, Chairperson	Centralia Township
Eric Kurzejeski, Vice Chairperson	Missouri Township
Gregory Martin, Secretary	Katy Township
Steve Koirtyohann	Rocky Fork Township
Daniel Mings	Columbia Township
Rhonda Proctor	Perche Township
Kevin Harvey	Rock Bridge Township
Christy Schnarre	Bourbon Township
Jeff McCann	County Engineer

b. Attending by Phone

Randal Trecha (left at 7:50PM)	Cedar Township
Robert Schrieber	Three Creeks Township

c. Staff Present:

Bill Florea, Director	Thad Yonke
Uriah Mach, Planner	Andrew Devereux, Planner
Paula Evans, Staff	

III. Approval of Minutes

Minutes from the July 20, 2023 meeting were approved as presented by acclamation.

IV. Chairperson Statement

The following statement was entered into the record:

The Boone County Planning and Zoning Commission is an advisory commission to the County Commission. The commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission makes recommendations to the County Commission on matters dealing with land use.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, it is authorized by the Missouri state statutes to follow its own by-laws. The by-laws provide that all members of the commission, including the chairperson, enjoy full privileges of the floor. The chairperson may debate, vote upon, or make any motion.

The following procedure will be followed:

An audio link is open to members of the public who wish to follow the proceedings. Members of the public who are attending by phone will be muted until the public hearing portion of each request.

Announcement of each agenda item will be followed by a report from the planning department staff. The applicant or the applicant's representative may make a presentation to the commission after the staff report. The commission may request additional information at that time, or later following the public hearing. After the applicant's presentation, the floor will be opened for a public hearing. Those wishing to speak in support of the request will be allowed to speak, then the floor will be given over to those opposed to the request. There may be individuals that neither support nor oppose a request. Those individuals are welcome to address the commission at any time during the public hearing.

Please direct all comments or questions to the commission, be concise and restrict your comments to the matter under discussion. Please be considerate of everyone here. We ask that you please not be repetitious with your remarks. We also recognize that some issues can be quite emotional. In that regard we ask that you refrain from applause, cheers, or other signs of support or displeasure. Please afford those with a different point of view than yours the same respect and consideration you would like yourself.

Please give your name and mailing address when you address the commission. Please sign the sheet on the table after you testify. Also, we ask that you turn off, or silence your cell phones.

Any materials that are presented to the commission, such as photographs, written statements or other materials will become a part of the record for these proceedings. If you would like to recover original material, please see the staff during regular business hours.

After those opposed to the request have had a chance to speak the public hearing will be closed and no further comments will be permitted from the audience unless requested by the Commission. The applicant will then have an opportunity to respond to any concerns expressed during the public hearing. Next the staff will be given an opportunity for any additional comments. The commission will then discuss the matter and may ask questions of anyone present during the discussion. Finally, a motion will be made to either recommend the approval or denial of the request to the county commission. Please note that the Boone County Zoning Regulations and Subdivision Regulations are considered to be a part of the record of these proceedings.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, October 3<sup>rd</sup>. Interested parties will again be able to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation.

Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the planning office to see if a request that has been denied has filed an appeal, as there will be no further public notification due to the short time between the hearing tonight and the County Commission hearing. The County Commission hearing scheduled for Tuesday, October 3<sup>rd</sup> will begin at 7:00 p.m. The vote on discretionary items, such as rezonings and conditional use permits, will not be taken on the 3<sup>rd</sup>. After hearing those items, they will be scheduled for a second reading at a future County Commission meeting October 3<sup>rd</sup> meeting.

## V. Rezoning Requests

1. Request by Frederick Schmidt to rezone from Agriculture (A-2) and Planned General Commercial (C-GP) to C-GP and to approve a Revised Review Plan on 3.47 acres located at 601 N Hwy UU, Columbia. (Open public hearing)

Planner, Uriah Mach gave the following staff report:

The subject property is located on State Route UU, less than ½ mile south of the intersection of Van Horn Tavern Road and State Route UU. The subject property is approximately 9.6 acres in size and has a house, garage, warehouse, and showroom present. The property is split-zoned Agriculture (A-2) & Planned General Commercial (CG-P). The adjacent zoning is A-2 to the north, south, and west, with Agriculture (A-1) and Planned Light Industrial (M-LP) to the east. The A-2 is original 1973 zoning, the adjacent M-LP was rezoned in 1988, and the existing C-GP on the subject property was rezoned in 1989. This property was rezoned and had a C-GP review plan approved by the County Commission in December of 2021. It has been since further revised with a new review plan in April of 2022.

Schmidt Billiards rezoned approximately .25 acres of A-2 to C-GP in 1989. The business has reached a point where expansion is necessary, and the December 2021 request expanded the C-GP zoning on the property to support proposed buildings and expansion. The April 2022 request modified the out boundary of the C-GP zoning to better serve the desired expansion on the property. This request modifies the proposed buildings to focus more intently on a new structure for use with the business rather than modifying existing buildings.

The Boone County Master Plan identifies this area as being suitable for residential land uses. The Boone County Master Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. The sufficiency of resources test provides a “gatekeeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The subject property is located in the Consolidated Public Water Service District #1 service area for water, is in the Boone Electric Cooperative service area, and the Boone County Fire Protection District. Consolidated #1 is already working with the applicant to provide fire protection to this property for the proposed buildings.

Transportation: The property has access on State Route UU, a publicly dedicated, publicly maintained right of way.

Public Safety: The property is located in the Boone County Fire Protection District, with the station on Henderson Road being closest for service.

Zoning Analysis: This use has been present for over 30 years at this location. Its presence has been very subtle and successful. Expansion after that long a period is reasonable, and the surrounding zoning, while mostly agricultural, has not suffered any ill effects for the business’s presence. The December 2021 review plan was designed to be specific for this business and is in step with the subtlety of the current business presence. The April 2022 revised plan does not change the character of the request, simply changing its shape to better serve the property owner. And this month’s revised plan modifies the proposed buildings so that a single building can serve where previously two expansions to existing buildings were proposed.

The property scored 45 points on the rating system.

Staff recommends approval of the rezoning request and revised review plan.

Present representing the request:

Wes Bolton, Allstate Consultants, 3312 Lemone Industrial Blvd, Columbia

Wes Bolton: I am just here to answer questions. The cost to add on to the two buildings was immense with the structural considerations so it is just one building with approximately the same square footage.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Harvey made, and Commissioner Koirtyohann seconded a motion to approve the request by Frederick Schmidt to rezone from Agriculture (A-2) and Planned General Commercial (C-GP) to C-GP on 3.47 acres located at 601 N Hwy UU, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Rhonda Proctor – Yes	Kevin Harvey – Yes
Robert Schreiber – Yes	Christy Schnarre – Yes
Jeff McCann – Yes	

Motion to approve the rezoning request passes unanimously

Commissioner Kurzejeski made, and Chairperson Harris seconded a motion to approve the request by Frederick Schmidt to approve a Revised Review Plan on 3.47 acres located at 601 N Hwy UU, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Rhonda Proctor – Yes	Kevin Harvey – Yes
Robert Schreiber – Yes	Christy Schnarre – Yes
Jeff McCann – Yes	

Motion to approve the review plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, October 3, 2023 at 7:00 PM.

- Request by Como West Storage, LLC, on behalf of Robert Kilgore Jr, to rezone to Planned Light Industrial (M-LP) and to approve a Revised Review Plan on 6.7 acres located at 7190 W Henderson Road, Columbia. (Open public hearing)

Planner, Andrew Devereux gave the following staff report:

The subject property is 6.76 acres located between Highway 40 and Henderson Road. The property was rezoned to Planned Light Industrial (M-LP) under County Commission order 286-2023. The surrounding zoning is as follows:

- South across Highway 40 – Planned Single Family Residential (R-SP)
- East – General Commercial (C-G)
- North across Henderson Road – Planned General Commercial (C-GP) and M-LP
- West – Residential Single Family (R-S)

The proposal seeks to modify the final development plan approved for the property under County Commission order 286-2023. The revised review plan proposes revisions to the approved final development plan, modifying the number of storage buildings, their size, and location on the property.

The only proposed use of the property, self-storage, is not being changed from the previous plan.

The Boone County Master Plan designates this area as being suitable for residential use. The Boone County Master Plan designates a “sufficiency of resources” test to determine if sufficient utility, transportation, and public safety resources are in place to support the change in zoning. Failure to pass the test should result in denial. Success in passing the test should result in further analysis.

Utilities: Boone Electric provides power service to the area. The plan notes that existing overhead electric lines will be relocated along frontage with Highway 40. Consolidated Water supplies water service to the area. An eight-inch water line was installed on the opposite side of Henderson Road. The installation of the eight-inch line provides commercial level fire flows. The Boone County Regional Sewer District provides sanitary sewer in the area. The review plan notes that no sanitary sewer will be extended to the property. No office or other public area requiring a bathroom is being proposed as part of the plan.

Transportation: The property will be served by two entrances off Henderson Road, a publicly maintained road. No access off Highway 40 is proposed. One entrance will serve as the primary entrance for customers to enter the facility. The secondary entrance will serve as emergency access for the Boone County Fire Protection District. The phasing plan shows that both entrances will be completed as part of the first phase of development.

Public Safety: The Boone County Fire Protection District provides fire protection in this area. The nearest station, station 9, is just over a quarter of a mile away. A single hydrant is located on the property, two additional hydrants are located across Henderson Road. A dedicated entrance with a Fire District approved lock will be constructed to allow first responders access in the event of an emergency. The applicants have provided fire access details demonstrating equipment can maneuver without obstruction within the development. The Fire District has indicated to staff that they are satisfied with the fire protection demonstrated on the plan.

Zoning Analysis: The revised review plan meets the sufficiency of resources test. There are adequate utilities and transportation resources to serve the development. The applicant has provided satisfactory evidence to the Fire District that infrastructure is in place for first responders in the event of an emergency.

The proposal scored 63 points on the point rating system. Staff notified 55 property owners of the request.

Staff recommends approval of the revised review plan and rezoning request.

Present representing the request:

Kevin Murphy, A Civil Group, 3401 Broadway Business Park Ct, Columbia

Kevin Murphy: I am here to answer any questions.

Chairperson Harris: What is changing from the previous plan?

Andrew Devereux: There are several buildings on the east side of the development; they added a building and changed the sizing of some of the buildings from the previously approved plan.

Kevin Murphy: Some of the southeast buildings decreased in size and I believe there was proposed RV storage that was removed, and an additional building was added.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Harvey made, and Commissioner Mings seconded a motion to approve the request by Como West Storage, LLC, on behalf of Robert Kilgore Jr, to rezone to Planned Light Industrial (M-LP) on 6.7 acres located at 7190 W Henderson Road, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Rhonda Proctor – Yes	Kevin Harvey – Yes
Robert Schreiber – Yes	Christy Schnarre – Yes
Jeff McCann – Yes	

Motion to approve the rezoning request passes unanimously

Commissioner Proctor made, and Commissioner Schreiber seconded a motion to approve the request by Como West Storage, LLC, on behalf of Robert Kilgore Jr, to approve a Revised Review Plan on 6.7 acres located at 7190 W Henderson Road, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Rhonda Proctor – Yes	Kevin Harvey – Yes
Robert Schreiber – Yes	Christy Schnarre – Yes
Jeff McCann – Yes	

Motion to approve the review plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, October 3, 2023 at 7:00 PM.

- Request by Happy Hollows, LLC, on behalf of RML Investment Properties, to rezone from General Commercial (C-G) to Planned General Industrial (M-GP) and to approve a Review Plan for Concorde South Lot 9 on 3 acres located at 5150 E Meyer Industrial Drive, Columbia. (Open public hearing)

Senior Planner, Thad Yonke gave the following staff report:

The subject property is 6.76 acres located between Highway 40 and Henderson Road. The property was rezoned to Planned Light Industrial (M-LP) under County Commission order 286-2023. The surrounding zoning is as follows:

- South across Highway 40 – Planned Single Family Residential (R-SP)
- East – General Commercial (C-G)
- North across Henderson Road – Planned General Commercial (C-GP) and M-LP
- West – Residential Single Family (R-S)

The proposal seeks to modify the final development plan approved for the property under County Commission order 286-2023. The revised review plan proposes revisions to the approved final development plan, modifying the number of storage buildings, their size, and location on the property.

The only proposed use of the property, self-storage, is not being changed from the previous plan.

The Boone County Master Plan designates this area as being suitable for residential use. The Boone County Master Plan designates a “sufficiency of resources” test to determine if sufficient utility, transportation, and public safety resources are in place to support the change in zoning. Failure to pass the test should result in denial. Success in passing the test should result in further analysis.

Utilities: Boone Electric provides power service to the area. The plan notes that existing overhead electric lines will be relocated along frontage with Highway 40. Consolidated Water supplies water service to the area. An eight-inch water line was installed on the opposite side of Henderson Road. The installation of the eight-inch line provides commercial level fire flows. The Boone County Regional Sewer District provides sanitary sewer in the area. The review plan notes that no sanitary sewer will be extended to the property. No office or other public area requiring a bathroom is being proposed as part of the plan.

Transportation: The property will be served by two entrances off Henderson Road, a publicly maintained road. No access off Highway 40 is proposed. One entrance will serve as the primary entrance for customers to enter the facility. The secondary entrance will serve as emergency access for the Boone County Fire Protection District. The phasing plan shows that both entrances will be completed as part of the first phase of development.

Public Safety: The Boone County Fire Protection District provides fire protection in this area. The nearest station, station 9, is just over a quarter of a mile away. A single hydrant is located on the property, two additional hydrants are located across Henderson Road. A dedicated entrance with a Fire District approved lock will be constructed to allow first responders access in the event of an emergency. The applicants have provided fire access details demonstrating equipment can maneuver without obstruction within the development. The Fire District has indicated to staff that they are satisfied with the fire protection demonstrated on the plan.

Zoning Analysis: The revised review plan meets the sufficiency of resources test. There are adequate utilities and transportation resources to serve the development. The applicant has provided satisfactory evidence to the Fire District that infrastructure is in place for first responders in the event of an emergency. The proposal scored 63 points on the point rating system. Staff notified 55 property owners of the request. Staff recommends approval of the revised review plan and rezoning request.

Present representing the request:

Andy Greene, Crockett Engineering, 1000 W Nifong, Columbia

Andy Greene: I am here to answer any questions.

Chairperson Harris: This is going to be a contractor's lot?

Andy Greene: Correct, it is a known landscaping business and they are looking at putting their facility at this site. It will be a mixture of office and storage, most of the exterior storage is for lawn equipment.

Chairperson Harris: The lawn equipment will be for business use and not retail?

Andy Greene: Correct.

Chairperson Harris: The area out front will be chip and seal parking?

Andy Greene: The darker gray color on the plan will be hard surface, a minimum of concrete to accommodate vehicles, the lighter gray will be the dust-free surface.

Chairperson Harris: Will the site be fenced?

Andy Greene: I don't know. If there is exterior storage then there will be a fence, I think that is a requirement.

Thad Yonke: I don't know if it is required in the Industrial district. If it turns out that a fence is desired, I imagine we will consider that to be a change that doesn't rise to the level of needing to revise the plan.

Chairperson Harris: What is proposed on the plan is what they want to do and are not going to have to change the plan?

Andy Greene: They have a known purchaser of the property once the zoning gets approved.

Chairperson Harris: The sewer on all of this goes to a regional sewer plant down south and west?

Thad Yonke: It is north from this site. It is down by the Public Works facility nestled between the residential development and the industrial area.

Chairperson Harris: That is all gravity?

Andy Greene: There is a forced main that runs along the east side of this property.

Thad Yonke: It is a limited capacity sewer.

Andy Greene: I think it switches to gravity about mid-point.

Chairperson Harris: If someone comes in and wants to use those other lots with a bigger generator is that plant a limiting factor?

Thad Yonke: Yes. Unless they get creative with the sewer district.

Andy Greene: Employee and office space is going to be the primary generator of wastewater for this site.

Open to public hearing.



No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Harvey made, and Commissioner Proctor seconded a motion to approve the request by Happy Hollows, LLC, on behalf of RML Investment Properties, to rezone from General Commercial (C-G) to Planned General Industrial (M-GP) for Concorde South Lot 9 on 3 acres located at 5150 E Meyer Industrial Drive, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Rhonda Proctor – Yes	Kevin Harvey – Yes
Robert Schreiber – Yes	Christy Schnarre – Yes
Jeff McCann – Yes	

Motion to approve the rezoning request passes unanimously

Commissioner Koirtyohann made, and Chairperson Harris seconded a motion to approve the request by Happy Hollows, LLC, on behalf of RML Investment Properties, to approve a Review Plan for Concorde South Lot 9 on 3 acres located at 5150 E Meyer Industrial Drive, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Rhonda Proctor – Yes	Kevin Harvey – Yes
Robert Schreiber – Yes	Christy Schnarre – Yes
Jeff McCann – Yes	

Motion to approve the review plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, October 3, 2023 at 7:00 PM.

## VI. Planned Developments

1. Request by Black & White Construction to approve a Final Development Plan for Ravenwood Plat 1, Lot 121 located at 1549 N Corbet Drive, Columbia.

The following staff report was entered into the records:

The subject property is located on Corbet Drive, north of Corbet Drives's connection to Renshaw Drive. The property was zoned Planned Residential Single-Family (R-SP) under the Ravenwood Final Plan approved under Commission Order 322-2018 in 2018. The zoning for this lot was revised under the review plan approved under Commission Order 299-2023 in June. The current proposal is to modify an individual lot front yard setback in the Ravenwood development to permit a partially completed home to finish construction.

This home is under construction through permit 70402. As construction began, mistakes were made and the survey pins and markers were moved or mis-interpreted, creating a setback problem for the typical 25' front

yard setback. Once county staff were aware of this problem, construction was halted until specific information on the location of the home and the utilities on site could be confirmed. Survey of the site identified the home between 16.3 feet and 18.89 feet from the front property line. This location is in violation of the 25-foot front setback and the 20-foot utility easement. As this structure is inside both the 25-foot front setback and the 20-foot utility easement as shown on Ravenwood Plat 1, any further action on the home requires these issues to be addressed.

This proposal modifies the front yard setback and proposes the change to the utility easement along Corbet Drive to 15 feet from 25 feet and 20 feet, respectively.

The property scored 73 points on the rating system.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

1. All the required information is accurately portrayed on the Plan
2. The Final Plan conforms to the approved Review Plan
3. The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan

Staff review of the final plan shows that it meets these criteria for approval.

Staff recommends approval of the final plan.

Commissioner Kurzejeski made, and Commissioner Schreiber seconded a motion to approve the request by Black & White Construction to approve a Final Development Plan for Ravenwood Plat 1, Lot 121 located at 1549 N Corbet Drive, Columbia:

All members voted in favor, none opposed.

Chairperson Harris stated that this request would go before the County Commission on Tuesday, October 3, 2023 at 7:00 PM.

## VII. Plats

The following plats were placed on consent agenda and the staff reports entered into the record:

1. Ravenwood Plat 1, Lot 121. R-SP. S1-T48N-R14W. Black & White Construction LLC, owner. Christopher Sander, surveyor.

The subject property is located on Corbet Drive, north of Corbet Drives' connection to Renshaw Drive. The property was zoned Planned Residential Single-Family (R-SP) under the Ravenwood Final Plan approved under Commission Order 322-2018 in 2018. The zoning for this lot was revised under the review plan approved under Commission Order 299-2023 in June. The current proposal is to modify an individual lot front yard setback in the Ravenwood development to permit a partially completed home to finish construction.

The subject property has direct access on to Corbet Drive, a publicly dedicated, publicly maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is served by Consolidated Public Water Supply District #1, the Boone Electric Cooperative, and the Boone County Fire Protection District

The subject property is connected to a central wastewater treatment system maintained by the Boone County Regional Sewer District.

This property has a reduced front yard setback and a reduced utility easement along the front of the property. This change in setback and utility easement width was authorized by a revised final plan for Ravenwood Plat 1, Lot 121A.

The property scored 73 points on the rating system.

Staff recommends approval of the plat and granting the requested waiver.

2. Trade Winds Park Plat 5. M-L. S12-T48N-R12W. Trade Winds Technology Development LLC, owner. Jay Gebhardt, surveyor.

The subject property is at the northwestern corner of the intersection of Trade Winds Parkway and Richland Road. The property is 16.95 acres in size, and zoned Light Industrial (M-L). A portion of this property was rezoned to M-L from Residential Single-Family (R-S) in 2008.

The surrounding property is zoned as follows:

North – Light Industrial (M-L), Residential Single-Family (R-S), Residential Moderate Density (R-M)

East – Light Industrial (M-L)

South – Light Industrial (M-L)

West - Residential Single-Family (R-S), Residential Moderate Density (R-M)

This proposal finalizes elements of the design in the current preliminary plat for Trade Winds Park by constructing Technology Court, a public road, and platting four lots along it. Those lots are 8.39 acres, 1.60 acres, 1.49 acres, and 1.36 acres in size. The remainder of the property is divided between 2 lots of .93 acres and 2.42 acres in size, who will take access off of Trade Winds Parkway.

As described above, 4 lots will use Technology Court, a publicly dedicated, publicly maintained right-of-way for access to the public road network. The remainder have access on to Trade Winds Parkway. The applicant has submitted a request to have the traffic study requirement waived.

The subject property is located in Public Water Service District #9, Boone Electric Cooperative service area, and the Boone County Fire Protection District.

The property is served by the Boone County Regional Sewer District and the City of Columbia through a cross-jurisdictional service agreement

Due to the previously mentioned cross-jurisdictional agreement, the City of Columbia has dual review on proposals in this area. The City has completed its review and approval of this plat.

The property scored 78 points on the rating system.

Staff recommends approval of the plat and granting the requested waiver.

3. Midway Little General Plat 1. C-G. S6-T48N-R13W. Ambica Investments LLC, owner. James Patchett, surveyor.

The subject property is located on the northeast side of US HWY 40 approximately 60 feet east of the intersection of Ivy Lane and US HWY 40. The area of the subdivision contains a consolidation of properties amassed over the years into a single 3.51-acre lot zoned General Commercial (C-G). The surrounding properties are zoned as follows:

- North – Agriculture 2 (A-2)
- Northeast – A-2
- East – A-2 & C-G
- Southeast – C-G
- South – C-G
- Southwest – C-G & Agriculture Residential (A-R)
- West – C-G
- Northwest – A-2

All the zoning is original 1973 zoning. This proposal is for a multi-use plat that contains the existing Little General Convenience Store and a non-compliant wastewater lagoon that is to be decommissioned. The intent is to construct a new convenience store and subsurface wastewater system while the existing store remains open and then to remove the existing store to relocate the new pump islands.

The property has access to US HWY 40, a publicly dedicated, publicly maintained right-of-way. Any modification to drive connections will have to meet the standards and permitting requirements of the governmental entity that maintains the roadway, in this case MoDot. The applicant has submitted a request to waive the traffic study requirement and Staff concurs with this request.

The subject property is in Consolidated Public Water Service District #1 for water service, Boone Electric Cooperative for electrical service, and the Boone County Fire Protection District with Station 9 being the closest at 1200 feet. Fire hydrants are required for the new building construction. City level fire flows are available. The district wants to work with the property owner to install a new 12-inch main across the property.

The new engineered on-site wastewater system must be installed to serve the new structure as well as temporarily serve the original building and the applicant has provided a cost-benefit analysis for central sewer. There is central sewer in the area and while connection is not being required at this time connection may be required in the future. The property scored 83 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

4. Zullo Point Plat 1. A-2. S14-T47N-R13W. Sean P. Zullo, Leslie C. Zullo and S. Paul Zullo and Bonnie Lou Crane Revocable Trust, owners. David Butcher, surveyor.

The subject property is located off W High Point Lane east of the intersection with Stanley Poe Road. The property is zoned Agriculture 2 (A-2), and A-2 zoning surrounds the east, west, and south boundaries. North across High Point Lane is zoned Agriculture-Residential (A-R). The proposed minor subdivision seeks to create two lots. An existing dwelling and conventional septic wastewater system exist on proposed lot 2.

The two lots both have direct road frontage along W High Point Lane, a publicly maintained roadway. An existing driveway serves the dwelling located on lot 2. The applicants have not submitted a request for traffic

study. However, a two-lot minor plat will have negligible impact on the existing road infrastructure. Granting of a waiver to the traffic study is appropriate in this case.

The subject property is located within Consolidated Water Supply District #1 service area. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection in the area. The nearest station, station 8, is 2.3 miles away.

An existing onsite wastewater system serves the dwelling on lot 2. The applicants have submitted an onsite wastewater plan to utilize wastewater lagoons for future development. The applicants have not submitted a request to waive the sewer cost benefit analysis requirement. However, the nearest existing sewer line operated by the Boone County Regional Sewer District is at or near full capacity. Future development will likely require the use of an onsite wastewater system. Final determination of the use of an onsite system will be made by the Director of Resource Management at the time of the building permit application. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

The Boone County Board of Adjustment granted a variance under case #2023-007 to allow for the existing home to encroach within the 50' minimum front yard area for an A-2 zoning district outlined in Section 10 of the Boone County Zoning Ordinance. The Boone County Board of Adjustment variance was granted with a "as is where is" clause to the existing home on proposed lot 2.

The proposal scored 47 points on the rating system.

Staff recommends approval of the plat and granting of waivers.

5. Prenger Estates. A-2. S31-T51N-R11W. Daryl & Sandra Prenger, owners. Kevin Schweikert, surveyor.

The subject property is located off Little Creek Road, about 3/4<sup>th</sup> of a mile from the intersection of Little Creek Road and Highway 124. The proposal is for a one lot five-acre subdivision. The subject property is zoned Agriculture 2 (A-2) and is surrounded by A-2 zoning on all sides.

The subject property has direct road frontage along Little Creek Road, a publicly maintained roadway. The applicants have not submitted a written request for a waiver to the traffic impact study. However, a one lot minor plat is unlikely to have significant impacts to the existing transportation infrastructure. Granting of a waiver to the traffic impact study is appropriate in this case.

The subject property is located within Public Water Supply District #4. Boone Electric provides power service to the area. The Boone County Fire Protection District provides fire protection in the area. The nearest station, station 3, is 4.8 miles away.

The applicants have submitted an onsite wastewater plan showing an intended lagoon location. Soils data provided by a soil scientist indicates that the intended location shown on the wastewater site plan will support a wastewater lagoon. The applicants have not submitted a waiver for the sewer cost benefit analysis. However, a one lot minor plat is unlikely to be feasible to support a public sewer facility. Granting of a waiver to the sewer cost benefit analysis is appropriate in this case.

There is significant regulatory stream buffer and FEMA designated floodplain area on the proposed subdivision lot. The onsite wastewater plan shows that a single-family dwelling and onsite wastewater system should fit on the northeast portion of the lot outside of the environmentally sensitive areas. Staff informed the surveyor responsible for preparing the subdivision plat that with limited buildable area on the lot, there may be a need to utilize an engineered onsite wastewater system.

The proposal scored 28 points on the rating system.

Staff recommends approval of the plat and granting of waivers.

6. Edwards Acres Plat 1. A-2. S9-T46N-R12W. Bruce Bauer, owner. James Jeffries, surveyor.

The subject property is located at the intersection of State Route DD and Edwards Road. The proposal is a two-lot subdivision plat with a 2.86-acre lot and a 5.01-acre lot. A corresponding administrative survey accompanies the plat for the 10.52-acre remainder of the parent parcel. The subject property is zoned Agriculture 2 (A-2) and is surrounded by A-2 on the south, east, and west. To the north across Edwards Road is zoned Agriculture 1 (A-1).

The subject property has direct road access to Edwards Road, a publicly maintained roadway. The applicant has submitted a request for a waiver of the traffic impact study. The creation of a two-lot minor subdivision is likely to have minimal impact to the existing transportation infrastructure. Granting a waiver to the traffic impact study is appropriate in this case.

The subject property is located within the Consolidated Public Water Supply District. Boone Electric provides power service. The Southern Boone County Fire Protection District provides fire protection. The nearest station, station 17, is 2.4 miles away.

The applicants have submitted an onsite wastewater exhibit showing potential locations for wastewater lagoons. The applicant has submitted a request for a waiver to the sewer cost benefit analysis. A public sanitary sewer is not available in the area, and creation of a two-lot minor plat will likely not be viable for a public sanitary sewer. Granting a waiver to the sewer cost benefit is appropriate in this case.

The proposal scored 51 points on the rating system.

Staff recommends approval of the request and granting of waivers.

7. Rees Subdivision. A-2. S26-T51N-R14W. David Rees Trust, owner. Steven Proctor, surveyor.

The subject property is located on Ridge Road, near the boundary of Boone County with Randolph County. The property is approximately 18.48 acres in size and this proposal divides it into two lots, one at 9.04 acres and the other at 9.44 acres. The property zoned Agriculture (A-2) with the surrounding property also zoned A-2 except to the northwest, where it lies adjacent to the boundary with Randolph County. The property is otherwise undeveloped with a large pond and some stream buffer on the larger lot.

The subject property has direct access on to Ridge Road, a publicly dedicated, publicly maintained right of way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Public Water Service District #10, the Boone Electric service area, and the Boone County Fire Protection District.

The lots are proposed to use on-site systems for wastewater treatment. The applicant has submitted a request to waive the wastewater treatment cost-benefit analysis requirement.

The property scored 15 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

8. Kyd's Corner Plat 1. A-2. S30-T49N-R13W. Thomas-Carol Kyd, owners. James Patchett, surveyor.

The subject property is located on Hatton Chapel Road at Thunder Lane, approximately 2 ½ miles to the northwest of the city limits of Columbia. The subject property is zoned Agriculture (A-2) and is surrounded by A-2 zoning. There is a home and wastewater system on the property. This proposal consolidates two survey tracts into a single platted lot of 7.18 acres.

The subject property has direct access on to Hatton Chapel Road, a public road created . The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Public Water Service District #1 for water service, the Boone County Fire Protection District, and the Boone Electric Cooperative service area.

The existing house has an on-site wastewater system. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property is in a Missouri Department of Natural Resources-designated area of karst topography.

The property scored 43 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

Commissioner Trecha made, and Commissioner Mings seconded a motion to approve the items on consent agenda as recommended

All members voted in favor.

Chairperson Harris stated that the items able to move forward to the County Commission will do so on Tuesday, October 3, 2023 at 7:00 PM.

## VII. Old Business

### 1. Update on Commission action

The Conditional Use Permit requests (shooting range, incidental restaurant, incidental sales) for the Corporation for the Promotion of Rifle Practice & Firearm Safety at 5885 W Van Horn Tavern Rd, Columbia were approved as recommended.

The Rezoning Request for Wilson Trailer Company on I-70 Drive NE was approved as recommended.

The Rezoning Request and Review Plan for Perry Luetkemeyer at 2675 N Locust Grove Church Rd were approved as recommended.

The following plats were approved and accepted:

- Sun Valley Estates Plat 3
- Johnson's Lake Plat 1
- Beaver Lake Plat 1

- Ravenwood Plat 2

## 2. Master Plan Update

Director, Bill Florea stated the Master Plan process is moving along very well. The first virtual open house was held on September 12<sup>th</sup> and there were approximately 70 people signed up and maybe 40 attended online. The second open house will be held on September 26<sup>th</sup> at the Boone Electric Community Room from 4:30 PM – 7:00 PM. The survey is currently still open, we have both the online survey and we mailed out 2100 written surveys by direct mailing to randomly selected unincorporated households. We received 228 written surveys back, we were hoping to get 25% returned but I doubt we will get there. At last count we had 1300 respondents to the online survey, about 38% of those were from unincorporated Boone County residents which matches up to the population distribution between Columbia and unincorporated Boone County. The online survey is open until September 30, 2023 and is located at [www.Ourboone.com](http://www.Ourboone.com)

## 3. Solar Regulations Update

Director, Bill Florea stated that staff had a work session with the County Commission, and they were supportive of the work put into them. Some administrative things need to be addressed before it moves forward to them for consideration.

## VIII. New Business

### 1. Annual Election of Officers

Director, Bill Florea asked for nominations for Officers.

Commissioner Koirtyohann made, and Commissioner Proctor seconded a motion to keep Commissioner Harris as Chairperson, Commissioner Kurzejeski as Vice-Chairperson, and Commissioner Martin as Secretary

All members voted in favor.

Commissioner Trecha left the meeting.

### 2. Quorum Discussion

Director, Bill Florea stated that traditionally the Planning & Zoning Commission is very consistent in being able to get a quorum, twice this year we didn't. Mr. Florea stated that he understands this is a voluntary board and things come up, but staff works hard to try to confirm we will have a quorum for each meeting. Most of you are good about responding, please always respond even if you are not going to attend because we are working with other Commissioners who say they can make it, but they have another conflict and would prefer not to attend. If we find we have a quorum we might tell that Commissioner that we don't need them for a quorum and then someone who confirms they are attending doesn't show up and we end up without a quorum. That is not fair to the applicants who spend a lot of time, money and energy to get to the finish line and then find the race is canceled. It is inconvenient to the public and not very respectful. Staff appreciates what the Commission does and understand they do the best they can to get here, we understand if



you can't make every meeting but please work closely with staff to make sure we can get a quorum for each meeting.

IX. Adjourn

Being no further business, the meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Secretary  
Greg Martin, Secretary

Minutes approved on this 19<sup>th</sup> day of October 2023